IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NOs : 24293 and 24294 of 2004

W.P.No.24293 of 2004

Between

N. Vasu Naik, S/o Kotya Naik,
O/o Dy. Transport Commissioner, Visakhapatnam, Visakhapatnam District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh,

rep. by its Principal Secretary,
T.R & B Department, Secretariat, Hyderabad.

2 The Transport Commissioner,

Government of Andhra Pradesh,
Khairatabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ , order or direction more particularly one in the nature of Writ of Certiorari , calling for the records pertaining to the order in O.A.No. 6535/2004 dated 3-12-2004, passed by the Admn. Tribunal and quash the same and

consequently direct the respondents to consider the case of the petitioner for promotion to the post of Motor Vehicles Inspector with all consequential benefits without reference to the pendency of Charge Memo No. 12009/XI/99 dated 20-10-2000 as well as charge memo No. 5774/3/2003 dated 5-9-2003 issued by the 2nd respondent herein and pass such other order or orders.

Counsel for the Petitioner:DR.K.LAKSHMINARASIMHA

Counsel for the Respondents: GP FOR TRANSPORT

W.P.No:24294 of 2004

Between:

V.V.Koteshwara Rao, S/o.V.Sudharshana Rao,
O/o.Deputy Transport Commissioner, Visakhapatnam Visakhapatnam District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh

represented by its Principal Secretary
T.R&B Dept., Secretariat, Hyderabad.

2 The Transport Commissioner Government

of Andhra Pradesh Khairatabad,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Certiorari, calling for the records pertaining to the order in O.A.No.6533/2004 dated 3.12.2004 and quash the same and consequently direct the respondents to consider the case of the petitioner for promotion to the post of Motor Vehicles Inspector with all consequential benefits without reference to the pendency of Charge Memo. No. 18619/XI/98 Dt.23.3.2000 issued by the 2nd respondent and pass such other order or orders.

Counsel for the Petitioner:DR.K.LAKSHMINARASIMHA

Counsel for the Respondents : GP FOR TRANSPORT

The Court at the stage of admission made the following :

COMMON ORDER:(per Hon'ble GB,J)

These Writ Petitions are filed challenging the Orders passed by the Andhra Pradesh Administrative Tribunal in O.A.Nos. 6533 and 6535 of 2004 dated 03-12-2004.

2. The matters relate to promotion to the posts of Motor Vehicle Inspectors from the posts of Assistant Motor Vehicle Inspectors.

3. It is the contention of the learned counsel for the petitioners that similar identical O.A.s, one among them is O.A.No.5234 of 2004 and batch, are pending relating to the promotion for the years 2003-04 and 2004-05, whereas, these O.As. were dismissed at the admission stage. Therefore, the learned counsel would submit that atleast these O.As. shall be disposed of along with other connected matters to have a uniform decision over all the cases.

4. Inasmuch as, the similar identical cases are pending, we feel it appropriate that these matters should be decided simultaneously so as to avoid conflict of decisions at the later point of time.

5. Under those circumstances, the Writ Petitions are allowed by setting aside the impugned orders and the matters are remitted back to the Tribunal for fresh consideration. The Tribunal shall dispose of all the connected matters relating to promotion from the posts of Assistant Motor Vehicle Inspectors to the posts of Motor Vehicle Inspectors for the years 2003-04 and 2004-05 within a period of six weeks from the date of receipt of a copy of this order.

G.BIKSHAPATHY, J

P.S.NARAYANA, J

Dated: 30-12-2004

Prv

To

1 The Principal Secretary,

The Government of Andhra Pradesh,
T.R&B Dept., Secretariat, Hyderabad.
2 The Transport Commissioner Government

of Andhra Pradesh Khairatabad, Hyderabad.

3. Two CCs to G.P. for Transport, A.P.High Court

Buildings, Hyd.(OUT).

4. The Registrar, A.P.Administrative Tribunal, Hyderabad.

5. Two CD copies.